

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
NO. 5:13-CV-560-F

UNITED STATES OF AMERICA, :  
 :  
Plaintiff, :  
 :  
vs. :  
 :  
 :  
MARTINEZ PERSONAL PROPERTY, :  
SPECIFICALLY DESCRIBED AS: :  
ONE DEWALT RADIO; :  
ONE DEWALT CIRCULAR SAW, :  
SERIAL NUMBER 800406; :  
ONE DEWALT NAIL GUN WITH KIT, :  
SERIAL NUMBER 2870; :  
ONE DEWALT AIR COMPRESSOR WITH :  
ACCESSORIES, :  
SERIAL NUMBER 1107016774; :  
ONE DEWALT TOOL KIT (X6) WITH :  
TWO BATTERIES AND ONE CHARGER; :  
AND, ONE DEWALT CORDLESS TOOL :  
KIT BAG, :  
 :  
Defendants. :

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**DEFAULT JUDGMENT**

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This matter is before the Court on Plaintiff's Motion for Default Judgment. It appearing that a copy of the Complaint herein was served upon the defendants and that publication has been duly made, in accordance with Supplemental Rule G(4), and, thus, that due notice was given accordingly, the Court finds that:

1. Process was duly issued in this cause and the defendants were duly seized by the U. S. Department of Homeland Security-Customs and Border Protection pursuant to said process;

2. No entitled persons have filed any claim to the defendants nor answer regarding them within the time fixed by law; and

3. The well-plead allegations of the Complaint in respect to the defendants are taken as admitted, as no one has appeared to deny the same.

Based upon the above findings, it is hereby

ORDERED AND ADJUDGED that:

1. Default judgment be and the same is hereby entered against the defendants;

2. All persons claiming any right, title, or interest in or to the said defendants are held in default;

3. The defendants are forfeited to the United States of America;

4. This Court entered Default in this action at Docket Entry # 8;

5. The U. S. Department of Homeland Security is hereby directed to dispose of the defendants according to law, including destruction; and

6. Upon the entry of this judgment, the Clerk of Court is  
DIRECTED to close this case.

SO ORDERED this 30<sup>th</sup> day of January, 2013.

  
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JAMES C. FOX  
SENIOR UNITED STATES DISTRICT JUDGE